59th Legislature HB0424.01

1 HOUSE BILL NO. 424 2 INTRODUCED BY R. BUZZAS 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE USE OF A PORTION OF LIQUOR LICENSE 4 5 AND PERMIT FEES BY THE BOARD OF CRIME CONTROL TO OPERATE A PROGRAM TO PREVENT THE 6 CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS AND TO ASSIST IN THE ENFORCEMENT OF 7 LAWS PENALIZING THAT CONSUMPTION; AMENDING SECTIONS 16-1-306 AND 16-2-108, MCA; AND 8 PROVIDING AN EFFECTIVE DATE." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 12 **Section 1.** Section 16-1-306, MCA, is amended to read: 13 "16-1-306. Revenue to be paid to state treasurer. Except as provided in 16-1-404, 16-1-405, through 14 16-1-406, and 16-1-411, and 16-2-108, all fees, charges, taxes, and revenue collected by or under authority of 15 the department must, in accordance with the provisions of 15-1-501, be deposited to the credit of the state 16 general fund." 17 18 **Section 2.** Section 16-2-108, MCA, is amended to read: 19 "16-2-108. Disposition of money received. (1) The department may purchase liquor from money 20 deposited to its account in the enterprise fund. The department shall pay from its account in the enterprise fund 21 its administrative expenses associated with the sale of liquor, subject to the limits imposed by legislative 22 appropriation. An obligation created or incurred by the department may not be a debt or claim against the state 23 of Montana but must be payable by the department solely from funds derived from the operation of state liquor 24 sales. The department shall pay into the state treasury to the credit of the enterprise fund the receipts from the 25 sale of liquor and all taxes collected by it. Taxes and the net proceeds from the operation of state liquor sales 26 must be transferred to the general fund. 27 (2) All liquor license fees and permit fees collected by the department must be deposited into the 28 department's liquor enterprise fund. 29 (3) The department shall pay from its account in the liquor enterprise fund: 30 (a) expenses associated with administering liquor licensing and fee collection; and

59th Legislature HB0424.01

(b) expenses associated with investigations pursuant to its agreement with the department of justice.

(4) The net proceeds of money remaining in the liquor enterprise fund at the end of each calendar quarter that has not been used for the purposes of subsection (3) must be transferred to the general fund a state special revenue fund account to be used by the Montana board of crime control, in an amount not to exceed \$725,000 each fiscal year, to operate a program to prevent the consumption of alcoholic beverages by minors and to assist in the enforcement of laws penalizing that consumption. Money remaining in the account at the end of each fiscal year must be transferred to the general fund."

8

1

2

3

4

5

6

7

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2005.

10 - END -

